



# RESTRICTION ELECTION FACSIMILE TRANSMISSION

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**OFFICIAL**

TO EXAMINER: S. Devi

ART UNIT: 1645

SERIAL NUMBER: 09/386266

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of: David J. Brayden

Serial No.: 09/386,266

Filed: August 31, 1999

For: "METHOD FOR INDUCING A CELL-MEDIATED  
IMMUNE RESPONSE AND IMPROVED PARENTERAL  
VACCINE FORMULATIONS THEREOF") Examiner: S. Devi  
)  
) Group Art Unit: 1645  
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## RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

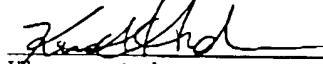
This is in response to the Office Action mailed August 1, 2000. Claims 1-34 are presently pending in this application. The Examiner submits that all claims are subject to a restriction requirement pursuant to 35 U.S.C. § 121. The Examiner states that restriction is required to one of the following inventions:

- I. Claims 1-6, and 15-20, drawn to a vaccine formulation comprising microparticles of an antigen entrapped by a biodegradable polymer and a method of inducing a  $T_H1$  polarised immune response to an antigen by administering the same, classified in class 424, subclass 9.322;
- II. Claims 7-12 and 21-26, drawn to a vaccine formulation comprising nanoparticles of an antigen entrapped by a biodegradable polymer and a method of inducing a  $T_H2$  polarised immune response by administering the same, classified in class 424, subclass 184.1;
- III. Claims 13 and 14, drawn to a method of inducing a combined  $T_H1$  and  $T_H2$  immune response to an antigen by administering the antigen entrapped by a biodegradable polymer to form microparticles and nanoparticles, classified in class 514, subclass 855;
- IV. Claims 27-34 drawn to a method of providing protective immunity against *B. pertussis* by administering microparticles or nanoparticles of a *B. pertussis* antigen entrapped by a biodegradable polymer, classified in class 424, subclass 254.1, respectively.

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Applicants respectfully elect to prosecute Invention I in the present patent application without traverse and respectfully request that claims 7-14 and 21-34 be cancelled without prejudice as they are directed to inventions that have not been elected.

Respectfully submitted,

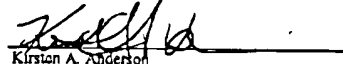


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August 23, 2000

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CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being via facsimile to the Assistant Commissioner of	
Patents and Trademarks, Washington, D.C. 20231, at (703) 308-4315	
on this	23 day of August 2000.
	
Kirsten A. Anderson	